

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Hearthware, Inc.,	)	
	)	
Plaintiff,	)	
	)	No. 11-cv-05233
v.	)	
	)	
E. Mishan & Sons, Inc..	)	
	)	
Defendant.	)	

**NOTICE OF APPEAL**

Plaintiff Hearthware, Inc. ("Plaintiff"), by and through its attorneys, ASHMAN LAW OFFICES, LLC, hereby appeal to the United States Court of Appeals for the Seventh Circuit, pursuant to 28 U.S.C. § 1291, from Judge Suzanne B. Conlon's Memorandum Opinion and Order, entered on August 13, 2012, granting Defendant's Motion for Summary Judgment in full. *See* Dkt. 107.

Dated: Chicago, Illinois  
September 7, 2012

HEARTHWARE, INC.

Kenneth J. Ashman  
Neal D. Kitterlin  
ASHMAN LAW OFFICES, LLC  
55 West Monroe Street, Suite 2650  
Chicago, Illinois 60603  
(312) 596-1700 (ph)

By:           /s/ Kenneth J. Ashman            
One of their Attorneys

**CERTIFICATE OF SERVICE**

Neal D. Kitterlin, an attorney, hereby certifies that he caused a copy of the foregoing *Notice of Appeal* to be served on September 7, 2012, upon the following via electronic filing:

Gary Zhao  
SmithAmundsen, LLC  
150 North Michigan Avenue  
Suite 3300  
Chicago, IL 60601

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Neal D. Kitterlin